

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

BELIA ARLENE OCASIO, *et al.*,

Civil No. 20-cv-1432 (PAD)

Plaintiffs,

v.

COMISIÓN ESTATAL DE ELECCIONES, *et al.*,

Defendants.

**OPPOSITION TO DEFENDANTS' MOTION FOR EXTENSION
TO FILE REPLY FOR MOTION FOR RECONSIDERATION**

TO THE HONORABLE COURT:

1. Plaintiffs, by and through undersigned counsel, respectfully oppose the "Motion for Extension of Time to File Reply to Motion for Reconsideration Pursuant to Rule 59(e)," ECF 63, for failure to comply with the requirements of Local Civil Rules 6 and 7(c), as well as Fed. R. Civ. P. 6(b)(1).

2. Local Civil Rule 7(c) states that "[w]ith prior leave of Court and within seven (7) days of the service of any objection to a motion, the moving party may file a reply memorandum, which shall not exceed ten (10) pages in length and which shall be strictly confined to replying to new matters raised in the objection or opposing memorandum." In addition, under Local Civil Rule 6 "[a]ll motions for extension of time shall specifically set forth the purpose of the extension sought. . . ." Finally, Federal Rule of Civil Procedure 6(b)(1)(A) provides, in relevant part, that "[w]hen an act may or must be done within a specified time, the court may, for good cause, extend

the time” by motion, “if a request is made[] before the original time or its extension expires.” Fed. R. Civ. P. 6(b)(1)(A).

3. Here, Defendants have filed a motion for an extension of time of seven working days to file a Reply to Plaintiffs’ Opposition, that neither justifies the need to file a reply brief to address any new matters raised in Plaintiffs’ Response and Opposition to Defendants’ Rule 59(e) Motion, ECF 62, nor gives any reason—much less “good cause”—why Defendants would need an additional seven (7) days past the seven already allotted by Local Civil Rule 7(c) to submit any such reply briefing.

4. Merely noting that the “request is being made in good faith,” ECF 63, is insufficient to justify additional briefing on a motion that is, by definition, “very difficult to prevail” on. *Marie v. Allied Home Mortg. Corp.*, 402 F.3d 1, 7 n.2 (1st Cir. 2005).

5. Moreover, Defendants’ bald statement that the extension “will not cause prejudice to Plaintiffs” is both conclusory and wrong. As Plaintiffs noted in their Response and Opposition, they believe it’s “best to close the book on this litigation.” ECF 62 at 3 n.1. Plaintiffs prevailed in this litigation more than three years ago. ECF 42; ECF 49. The pandemic that set this case in motion started exactly four years from the week Defendants now file their way-too-late request for an additional extension. Additional briefing will help no one—not the Parties, their counsel, nor the Court. It would surely be against the interest of judicial economy, and the Court should deny Defendants leave to file any.

Dated: March 15, 2024
San Juan, Puerto Rico

Respectfully submitted:

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*(Not admitted in the District of Columbia:
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49(c)(3))*

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CERTIFICATION

I hereby certify that I filed the within document via the ECF system on March 15, 2024, and that it is available for viewing and downloading to all counsel of record and that I provided the within documents by email on March 15, 2024 to:

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